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OFFICE OF PETITIONS

In re Application of
Eileen TOZER et al.
Application No. 10/688,057
Filed: October 17, 2003
Attorney Docket No. 1280-38

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed July 28, 2005, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the restriction requirement mailed January 24, 2005, which set a shortened statutory period for reply of one (1) month. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on February 25, 2005.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an election; (2) the petition fee of \$750; and the required statement of unintentional delay have been received. Accordingly, the reply to the restriction requirement of January 24, 2005 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to David A. Bucci at (571) 272-7099 or in his absence, the undersigned at (571) 272-3217.

The application file is being referred to Technology Center AU 1641 for appropriate action on the concurrently filed election.

Brian Hearn
Petitions Examiner
Office of Petitions